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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/720,542	12/22/2000	Michael Stern	GRYN 202 - C	3350
24972	7590	09/03/2004	EXAMINER	
FULBRIGHT & JAWORSKI, LLP 666 FIFTH AVE NEW YORK, NY 10103-3198			MCARDLE, JOSEPH M	
			ART UNIT	PAPER NUMBER
			2132	

DATE MAILED: 09/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/720,542	Applicant(s) STERN ET AL.	
	Examiner Joseph McArdle	Art Unit 2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 30-58 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 30-58 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 December 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) ✓ | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>20040901</u> ✓ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a) because they consist solely of empty boxes and fail to show any of the detail as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 30-34, 38-42, 46-49, and 51-55 are rejected under 35 U.S.C. 102(b) as being anticipated by Hu (U.S. Patent No. 5586260). In regards to claims 30, 38, 46 and 51, Hu discloses a design that pertains to an authentication gateway computer system that acts as an intermediary between client and server systems. Hu discloses in Fig. 1 and in column 3, lines 58-67 through column 4, lines 1-16 how a gateway system resides between a client system and a server system and acts as an intermediary between the two systems by intercepting communications and allowing the client system to conform to the correct security mechanism associated with the server system. This disclosure meets the limitations set forth under claims 30, 38, 46 and 51 that call for interconnecting a network device between computer equipment to be secured and the network as well as intercepting communications between the computer equipment and the network. Hu further discloses in column 4, lines 32-38 how an authentication gateway (which is part of the intermediary between the client and server systems) acquires authentication credentials of the client system that relate to the identity of the client. This disclosure meets the limitations set forth under claims 30, 38, 46 and 51 that call for obtaining information related to the user of the computer equipment by an authentication module. This disclosure also meets the limitations set forth under claims

30, 38, 46 and 51 that call for defining a security level by the authentication module because the authentication gateway in Hu's design makes a determination of whether or not the client system is authorized to communicate with the server system. Hu further discloses in column 5, lines 41-57 how a client can make a request to a server and that upon doing this a proxy server (which is also a part of the intermediary between the client and server systems as shown in figure 3) will retrieve the client's authenticated identity for the authentication gateway ensuring that authenticity of the client's identity as well as ensuring that the client is allowed to communicate with the server. These disclosures meet the limitations set forth under claims 30, 38, 46 and 51 that call for transmitting information related to the user (client) to an authentication management server (proxy server of figure 3) and using the authentication management server to authenticate the user (client). Hu further discloses in column 5, lines 65-67 through column 6, lines 1-11 how server credentials are stored as "security context" for the client and get cached in order to facilitate future communications between the client system and the server system. This disclosure meets the limitations set forth under claims 30, 38, 46 and 51 that call for transmitting and storing security parameters to the network device (client system) because in Hu's design the security contexts are saved/cached in order to allow for future communications between client systems and server systems to be secure and authenticated.

4. In regards to claims 31, 33, 39, 41, 47, 48, 52, and 54, Hu discloses in column 4, lines 59-67 through column 5, lines 1-3 that a server has as part of its own security mechanism the means to check an access control list (ACL) in order to determine

whether a client seeking access has been authorized. This disclosure meets the limitations set forth under claims 31, 33, 39, 41, 47, 48, 52, and 54 that call for allowing the security parameters to comprise a list of authorized client/server applications because if a particular client attempting to communicate with a server will only be allowed to do so if they are identified in the ACL as being authorized to do so as described in the aforementioned location of Hu's design. In regards to claims 32, 34, 40, 42, 49, 53 and 55, Hu discloses in Fig. 1 and in column 3, lines 58-67 through column 4, lines 1-16 how a gateway system resides between a client system and a server system and acts as an intermediary between the two systems by intercepting communications and allowing the client system to conform to the correct security mechanism associated with the server system. Hu also discloses in column 4, lines 59-67 through column 5, lines 1-3 that a server has as part of its own security mechanism the means to check an access control list (ACL) in order to determine whether a client seeking access has been authorized. These disclosures meet the limitations set forth under claims 32, 34, 40, 42, 49, 53 and 55 that call for analyzing messages related to client/server applications and filtering/altering them, thereby establishing a firewall because the ACL of Hu's design would filter/alter attempted communication by a client with a server if the client is not indicated in the ACL as authorized to communicate with the server. The ACL of Hu's design acts as a firewall for the server.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 35-37, 43-45, 50, and 56-58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hu in view of Gupta (U.S. Patent No. 6658565). In regards to claims 35, 43, and 56, Hu's design meets all of the aforementioned limitations set forth under claims 30, 38, and 51. However, Hu's design makes no mention of customizing a device according to a private encipherment key provided by the authentication module as well as storing the public encipherment key associated with the private encipherment key. Gupta teaches in column 1, lines 67 through column 2, lines 1-7 how public key cryptography is a well-known technique for performing remote authentication. Gupta further teaches in this location that with this method of secure communication each entity has a public encryption key as well as a private encryption key. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Gupta's teachings on the use of public and private encryption keys into Hu's design in order to achieve a design that is capable of customizing a device according to a private encipherment key provided by the authentication module as well as storing the public encipherment key associated with the private encipherment key for the purposes of allowing for an even more secure communications stream.

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7. In regards to claims 36, 44, 50 and 57, Hu's design meets all of the aforementioned limitations set forth under claims 30, 38, 46 and 51. However, Hu's design makes no mention of allowing the security parameters to comprise a list of computer equipment and the corresponding public encipherment key, which the user is authorized to communicate with. Gupta teaches in column 1, lines 67 through column 2, lines 1-7 how public key cryptography is a well-known technique for performing remote authentication. Gupta further teaches in this location that with this method of secure communication each entity has a public encryption key as well as a private encryption key. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Gupta's teachings on the use of public and private encryption keys into Hu's design in order to achieve a design that is capable of allowing the security parameters to comprise a list of computer equipment and the corresponding public encipherment key, which the user is authorized to communicate with for the purposes of allowing for an even more secure communications stream.

8. In regards to claims 37, 45, and 58, Hu's design meets all of the aforementioned limitations set forth under claims 30, 38, and 51. However, Hu's design makes no mention of enciphering by the communications device between the computer equipment associated with the user and computer equipment on the list by combining the private encipherment key of the device with the public encipherment key of the computer equipment on the list. Gupta teaches in column 1, lines 67 through column 2, lines 1-7 how public key cryptography is a well-known technique for performing remote authentication. Gupta further teaches in this location that with this method of secure

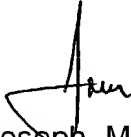
communication each entity has a public encryption key as well as a private encryption key. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Gupta's teachings on the use of public and private encryption keys into Hu's design in order to achieve a design that is capable of enciphering by the communications device between the computer equipment associated with the user and computer equipment on the list by combining the private encipherment key of the device with the public encipherment key of the computer equipment on the list. for the purposes of allowing for an even more secure communications stream.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph McArdle whose telephone number is (703) 305-7515. The examiner can normally be reached on Weekdays from 8:00 am - 5:00pm.

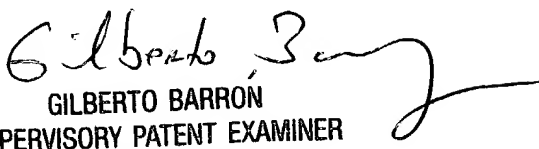
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (703) 305-1830. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Joseph McArdle
Examiner
Art Unit 2132

jmm



GILBERTO BARRON
SUPERVISORY PATENT EXAMINER
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